



07-01-04

1651/\$ 41

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/695,807	
	Filing Date	October 23, 2000	
	First Named Inventor	Gregory R. MUNDY.	
	Art Unit	1651	
	Examiner Name	R. J. Gitomer	
Total Number of Pages in This Submission	29	Attorney Docket Number	432722002623

JUL 08 2004  
TECH CENTER 1651/2588

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form (1 page + Duplicate)  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment/Reply (19 pages)  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input checked="" type="checkbox"/> Terminal Disclaimer (1 pages)  <input type="checkbox"/> Request for Refund  <input checked="" type="checkbox"/> CD, Number of CD(s) <u>1</u>	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement to Support Filing and Submission (3 pages) Paper Copy of Sequence Listing (2 pages) Copy of Notice to Comply (1 page) Return Postcard
<div>Remarks</div> <p>CUSTOMER NUMBER 25225</p>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	MORRISON & FOERSTER LLP Laurie L. Hill - 51,804
Signature	
Date	June 29, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 420264095 US, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 29, 2004

Signature:

(Susan R. Telford)



PTO/SB/17 (10-03)  
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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 55.00

## Complete if Known

Application Number 09/695,807

Filing Date October 23, 2000

First Named Inventor Gregory R. MUNDY

Examiner Name R. J. Gitomer

Art Unit 1651

Attorney Docket No. 432722002623

JUL 08 2004

TECH CENTER 1600/2000

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number

03-1952

Deposit Account Name

Morrison & Foerster LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =		x	
Independent Claims	-3** =		x	
Multiple Dependent				

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)				2814 Statutory Disclaimer	55.00

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 55.00

## SUBMITTED BY

(Complete (if applicable))

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Telephone (858) 720-7955

Signature

Date June 29, 2004



JUL 08 2004

TECH CENTER 1600/2550

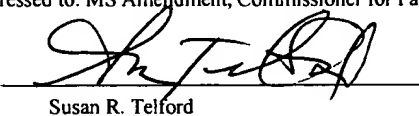
PATENT  
Docket No. 432722002623

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

Express Mail Label No.: EV 420264095 US

Date of Deposit: June 29, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Susan R. Telford

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the application of:

Gregory R. MUNDY et al.

Serial No.: 09/695,807

Filing Date: October 23, 2000

For: INHIBITORS OF PROTEASOMAL  
ACTIVITY FOR STIMULATING BONE  
GROWTH (AS AMENDED)

Examiner: Ralph J. Gitomer

Group Art Unit: 1651

**STATEMENT TO SUPPORT FILING AND SUBMISSION  
IN ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825 AND §§ 1.52(e) AND 1.96(c)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned hereby states that the contents of the computer readable version in CD-R format (labeled "CRF") of the Sequence Listing and the paper copy (pages 1-2) of the Sequence Listing, submitted in accordance with 37 C.F.R. §§ 1.821-1.825, § 1.52(e) and § 1.96(c), respectively, are the same.

Please note that Applicants have enclosed a compact disc labeled "CRF" and a paper copy of the Sequence Listing (pages 1-2).

Listed below are the particulars of the compact disc containing the Sequence Listing:

1. Machine Format: IBM-PC
2. Operating System Compatibility: PC-DOS/MS-DOS
3. List of Files: Sequence Listing
4. Size of each in bytes: 2,048 bytes
5. Date of creation for each: June 29, 2004.

I hereby state that I have reviewed the paper copy of the Sequence Listing contained on pages 1 to 2 of said Sequence Listing, as required by 37 CFR 1.821(c), and have reviewed the computer readable form of the Sequence Listing, as required by 37 CFR 1.821(e), and that the content of the paper and computer readable copy for the above-referenced Patent application are the same as required by 37 CFR 1.821(f).

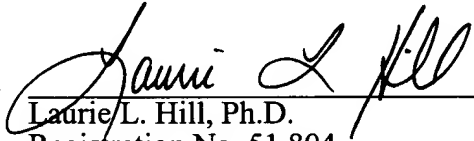
Applicants request consideration and entry of the Sequence Listing paper copy and computer readable copy. Pursuant to 37 C.F.R. 1.77, please enter the paper copy of the Sequence Listing after the Abstract.

In the unlikely event that the Patent Office determines that an extension and/or other relief is required as a result of this statement, Applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due to our **Deposit account no. 03-1952** referencing 432722002623. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Respectfully submitted,

Dated: June 29, 2004

By:

  
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